1. **6:51 P.M. CALL TO ORDER**

Vice-Chair Nelson called the June 20, 2012 special meeting of the Thurston County Planning Commission (PC) to order at 6:51 p.m. Commissioners provided self-introductions.

**Attendance**: Vice-Chair Scott Nelson, Commissioners Christine Spaulding, Ed Fleisher, Chris Earle & Jennifer Davis

**Absent**: Chair Chris Lane, Commissioners Liz Kohlenberg, Bill Jackson & Kathleen O'Connor

**Staff**: Olivia Story, Scott Clark, Cynthia Wilson & Jeremy Davis

2. **6:51 P.M. APPROVAL OF AGENDA**

**MOTION**: Commissioner Earle moved to approve the agenda. Commissioner Spaulding seconded. Motion carried as amended.

The calendar and attendance were moved before the public hearing.

3. **6:52 P.M. STAFF UPDATES**

Mr. Clark provided the following staff updates:

- The Board of County Commissioners (BOCC) will be holding the CAO public hearing this Saturday June 23, 2012. The process is exactly the same as the public hearing held by the Planning Commission on the CAO. Thirty-three public comments have been received so far.
- The Mineral Lands Growth Board Hearing was two weeks ago and staff is awaiting their decision.
- The Impact Fee’s public hearing was held last night June 19, 2012 and the BOCC extended the comment period out another twenty days.
- Christy Osborn was hired as the new Associate Planner and will be working on the French Loop, Chamber’s Basin and Agricultural Lands Reconsideration.
- The County’s budget is looking ok, so no cuts to staff are foreseen at this time.
- The Ken Lake Rezoning (joint plan amendment with City of Olympia) will be coming before the PC very soon.

4. **6:57 P.M. CALENDAR**

July 11, 2012 – All Commissioners will be in attendance.
5. **6:57 P.M. PUBLIC COMMUNICATIONS** (Not associated with topics for which public hearings have been held.)

*No members were present in the audience.*

The official audio is available online at:

[http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.html](http://www.co.thurston.wa.us/planning/planning_commission/planning_comm_minutes.html)

6. **7:00 P.M. PUBLIC HEARING: Asphalt Plants**

*Staff: Olivia Story, Scott Clark & Jeremy Davis*

Commissioner Nelson gave an overview of the hearing process. A public hearing is required prior to the Planning Commission recommendation to the Thurston County Board of County Commissioners.

Ms. Story gave a brief overview of some background information in regards to asphalt plants. The purpose of the hearing is to accept public comment on regulations relating to the permitting of new asphalt plants, and establishing asphalt plants as a primary use separate from mineral extraction operation. Changes are proposed to the Mineral Extraction Code (Chapters 17.20 TCC), to the special use permit chapter (Chapter 20.54 TCC), and other sections of the Thurston County (Rural) Zoning Ordinance (Title 20). The PC may take action following the public hearing.

Interim Ordinance 13030 has been in place since 2003, and prohibits: Permitting of new asphalt plants. This interim ordinance was established after the county reviewed then designated mineral lands of long term significance as part of a seven-year review of the Thurston County Comprehensive Plan. The hearing will only be focusing on the permitting of Asphalt Plants. Mineral lands designation has been resolved. The board established a task force to review the issues associated with asphalt plant. They met several times and reviewed existing County policies and regulations, case law, scientific studies, maps and related technical information, and heard from experts on mining regulation. The final recommendations report from the mineral lands task force was reviewed by the planning commission in 2009. The Planning Commission formed a Subcommittee in April, 2009. They made their final recommendation to the remaining members of the Planning Commission on October 21, 2009. The draft ordinance has been available in the Permit Assistance Center and on the County’s website for public comment. Staff received 4 public comment letters. Two letters were in support of the draft ordinance and two generally opposed the draft ordinance.

**Commissioner Nelson opened the public hearing on Asphalt Plants at 7:00 p.m.**

Members of the audience that chose to speak:

*For audio testimony start at 00:10:22*
7. **7:18 P.M. Work Session: Asphalt Plants**

*Staff: Olivia Story, Scott Clark & Jeremy Davis*

Ms. Story started the discussion presenting a power point presentation to the PC. The first three images were of 40 acres parcels with different setbacks ranging from 150' to a 500' setback. In order to maintain a 500' setback on a 40 acre parcel you would only have a 2.4 acre buildable lot remaining.

Commissioner Davis made a suggestion that with the current 1,000' setback and example parcel buffer areas that they lower the setback to 200' that 1,000' setback would take an extremely large parcel to have any acres remaining. ORCA also discussed a setback for emissions and that would be from a stack not from a boundary line. Commissioner Earle suggested that with the comments from the task force and from ORCA that they change the wording and size of buffer to be 300' from the emission point. They discussed saying setbacks will be from the emission point source at an asphalt plant.

**MOTION:** Commissioner Spaulding moved to approve the revised setback.

The discussion continued not to vote on the motion until all of the discussion on the draft had been finished.

On page one and two, “3.1b” and the issues of accessory uses; do the words gravel mines have to be included? Discussion of how to balance the goal of this section with the CAO was also discussed in regards to if the gravel mind should cease to exist and the asphalt plant continued under new compliance. At this point in time an asphalt plant is permitted as an accessory use to a gravel mine. The discussion of allowing new asphalt plants all together in a RRI, light industrial zone or gravel mine ensued. This would also allow the two active gravel mines with asphalt plants to continue operation if the gravel mine should cease operation. Commissioner Earle suggested new language that would read; Asphalt Plants may be permitted in zoning districts LI or RRI additionally existing permitted asphalt plants may be allowed to continue within the RRR I/5 zoning. If the PC just wants to change the zoning only the second half of the suggested language would be needed along with putting new X’s within the table. Commissioner Davis’ proposed language would be; an asphalt plant may be permitted in the RRI, LI zoning districts or
within a permitted gravel mine. Existing asphalt plants located in gravel mines may apply for SUP to continue operation on site when that gravel mine ceases its operation.

Mr. Davis wanted to clarify that even if a gravel mine is still involved they will still have to obtain another use permit for that asphalt plant. This means that they have the right to apply for it not necessarily that it will be permitted.

The PC then discussed the 40 acre minimum and the public comment that came in from the public hearing. The 40 acre issue is built into the setbacks so the PC doesn’t think the 40 acre minimum should apply if you have the setback. Therefore the whole section b will be deleted and replaced with the language Commissioner Davis suggested above. Commissioner Earle suggested rewording Commissioner Davis’ language by saying; an asphalt plant has to be located within a gravel mine that was permitted as of 2012.

Mr. Davis will be marking the use matrix in Chapter 20.54 with X’s and then in the text staff will spell out about the gravel mines in the existing zones including the zones the PC does not want just outright permitted with an SUP. The PC would like to have staff also add a line to the table that states; stand alone asphalt plants would end a gravel mine.

Commissioner Fleisher suggested that within b they strike the words “existing” and “that were”.

The final issue in this section is deciding whether an asphalt plant should be allowed in an RRR 1/5 zone. A short discussion ensued and the X was taken out of the table for them being allowed.

In section d second line Commissioner Earle would like it to be clearer that the operational restriction is that they would have to comply with the States MPDS permit for asphalt plants. Then in bullet H under option one the words “as amended” will be added.

No distinction was made between temporary and permanent asphalt plants and section k was deleted entirely. It will also be deleted within the table.

MOTION: Commissioner Earle moved to accept the code language as revised at this evenings planning commission meeting and forward it to the Board of County Commissioners with the recommendation to adopt. Commissioner Davis seconded.

Motion carried.

8. 8:38 PM ADJOURN

With there being no further business, Commissioner Nelson adjourned the meeting at 8:38 p.m.

Scott Nelson, Commissioner

Prepared by Carrie Toebbe, Recording Secretary

Thurston County Planning Commission
June 20, 2012 Minutes